

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION**

**KEVIN O. AHERN,**

**Plaintiff,**

**v.**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security,**

**Defendant.**

)

)

) **Civil Action No. 5:11cv00070**

)

)

) **By: Michael F. Urbanski**

)

) **United States District Judge**

)

)

**ORDER**

This matter was referred to the Honorable B. Waugh Crigler, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B), for proposed findings of fact and a recommended disposition. The Magistrate Judge filed a report and recommendation on March 5, 2012 recommending that the Commissioner's motion for summary judgment be denied, that the plaintiff's motion for summary judgment be granted, and that this case be remanded to the Commissioner for further proceedings. No objections to the report and recommendation have been filed, and the court is of the opinion that the report and recommendation should be adopted in its entirety. It is accordingly **ORDERED** and **ADJUDGED** that the plaintiff's motion for summary judgment (Docket #14) is **GRANTED**, that the Commissioner's motion for summary judgment (Docket #20) is **DENIED**, that the this case is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further consideration consistent with the report and recommendation, and that this matter is **STRICKEN** from the active docket of the court.

It is **SO ORDERED**.

Entered: March 29, 2012

*/s/ Michael F. Urbanski*

Michael F. Urbanski  
United States District Judge